

HOUSE BILL 571
By Bunch

AN ACT to amend Tennessee Code Annotated, Title 55, relative to volunteer and special unit parking enforcement.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 10, Part 2, is amended by adding the following language as a new, appropriately designated section:

Section 55-10-209.

(a) A law enforcement agency authorized to enforce parking laws may appoint a volunteer to issue a citation for violations of any state law, or local ordinance or resolution, governing the parking of a motor vehicle, pursuant to the following provisions:

(1) A volunteer appointed under this section shall be a resident of the city, county or metropolitan government in which the volunteer program operates. The volunteer program shall be open to any person twenty-one (21) years of age and older,

(2) Any agency appointing a volunteer shall provide training before authorizing a volunteer to issue citations; and

(3) A citation issued by a volunteer appointed under this section shall have the same force and effect as a citation issued by a law enforcement officer for the same offense.

(b) Notwithstanding any provision of law to the contrary, any county, municipality or metropolitan government may establish a special enforcement unit for the sole purpose of providing adequate enforcement of state laws, and local ordinances and resolutions, governing the parking of motor vehicles, pursuant to the following provisions:

(1) A city, county, or metropolitan government may establish recruitment and employment guidelines;

(2) A member of the special enforcement unit may issue a notice of a parking violation under any state laws and local ordinances, relative to the parking of motor vehicles. A member of the special enforcement unit shall not be considered to be a law enforcement officer and shall not make an arrest in the course of the member's official duties, but shall wear a distinctive piece of clothing such as a jacket, shirt, vest and/or hat with a law enforcement insignia together with a badge while on duty. The local authority or administering agency may issue a communication device such as a police radio, citizens band radio, or cellular telephone to each member of the special enforcement unit for use while on duty;

(3) A city, county, or metropolitan government may pay the cost of uniforms and badges for the special enforcement unit, and may provide daily cleaning of the uniforms;

(4) A member of the special enforcement unit may be paid an hourly wage without the benefits provided other permanent and temporary employees, but is entitled to applicable workers' compensation

benefits as provided by law. Insurance provided by the city, county, or metropolitan government for disability or liability of a member of the special enforcement unit shall be the same as for other employees performing similar duties; and

(5) Nothing in this section shall be construed to preclude a city, county, or metropolitan government from using regular full-time employees to enforce ordinances or resolutions adopted pursuant to such ordinances or resolutions.

(c) The provisions of this section shall only apply in a county, municipality or metropolitan government which adopts the provisions of this section by a two-thirds (2/3) vote of the legislative body of such county, municipality or metropolitan government.

SECTION 2. This act shall take effect July 1, 2001, the public welfare requiring it.